

ABSTRACT

Public Services - Handloom & Textiles Department - Alleged irregularities in Wool Industries Co-operative Society, Dharmaram Village, Medak District - Vigilance Report - Disciplinary action initiated against Sri K.satyanarayana Rao, former Assistant Director, Handlooms & Textiles (now retired) - Enquiry - Report - Communicated - Explanation - Show Cause Notice - Representation - APPSC Concurrence - Imposing a punishment of 3% cut in pension for a period of two (2) years - Orders- Issued.

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G.O.RT.No. 9

Dated:12.01.2015.

Read the following:-

1. From the Commissioner & DHT&DCAEPs Lr. Rc.No.9314/03-E3, Dt.28.06.2006.
2. WSD of Sri K.Satyanarayana Rao, dt.18.7.2006.
3. From the Commissioner & DHT&DCAEPs Lr. Rc.No.9314/03-E3, Dt.26.08.2006.
4. From the RDD (H&T) Lr.Rc.No.575/2006-B, dt.26.4.2007.
5. From the Commissioner & DHT&DCAEPs Lr. Rc.No.9314/03-E3, dt.18.08.2008.
6. Reptn. of Sri K.Satyanarayana, dt.28.12.2008.
7. Govt.Memo.No.4644/Vig.A2/2003-15, dt.7.3.2011.
8. From the Commissioner of HT& CAEPs Lr. Rc.No.9314/03-E3, dt.16.06.2011.
9. Govt.Memo.No.4644/Vig.A2/2003-21, dt.18.8.2014.
10. From the DHT Lr.Rc.No.9314/03-E3, dt.10.9.2014 along with the representation of Sri K.Satyanarayana Rao, former AD, H&T (now ret'd).
11. Govt.Memo.No.4644/Vig.A2/2003-23, dt.7.10.2014.
12. From the DHT Lr.Rc.No.9314/2003-E3, dt.16.10.2014.
13. Govt.Letter.No.4644/Vig.A2/2003-24, dt.30.10.2014.
14. From APPSC Lr.No.1399/RT/2/2014, dt.30.12.2014.

Whereas, the appropriate investigating agency has enquired into allegations of various illegal activities in the running of the Wool Industries Cooperative Society Limited, Dharmaram, Medak District and submitted Report among others duly recommending to take stringent disciplinary action against Sri K.Satyanarayana Rao, Assistant Director, H&T who is responsible for sanctioning of bogus claims preferred by the Societies without proper verification. Further, based on the directions of the Government, the Commissioner & Director of Handlooms and Textiles & DCAEPs among others have initiated common disciplinary proceedings under rule 24 of APCS (CCA) Rules, 1991 and framed charges against Sri K.Satyanarayana Rao, former Asst. Director, Handlooms & Textiles, Sangareddy, Medak District through the reference 1st cited.

2. In the reference 2nd cited, Sri K.Satyanarayana Rao, former Assistant Director, H&T, Sangareddy, Medak District has submitted written statement of defence denying the charges framed against him. Since, the charged officer has denied the charges, the Commissioner, Handlooms & Textiles & DCAEPs has appointed the Regional Deputy Director (H&T), Hyderabad as Enquiry Officer for conducting enquiry among others into the charges framed against Sri K.Satyanarayana Rao, former Assistant Director, H&T, Sangareddy, Medak District vide his proc. dt.26.8.2006.

3. After completing the enquiry, the Enquiry Officer & Regional Deputy Director, Handlooms & Textiles, Hyderabad has submitted enquiry report stating that out of the two charges framed against Sri K.Satyanarayana Rao, former Assistant Director, H&T, Sangareddy, Medak District, the charge-1 that the charged officer has not properly supervised the weavers Co.op Societies in the District as functional registrar of weavers Co-operative societies thereby several irregularities were committed by the President/ managing committee of wool industrial co.op society Ltd., Dharmaram of Medak District in implementation of Government Schemes and funds sanctioned under various schemes were misappropriated thus he exhibited gross negligence and dereliction of legitimate duties entrusted to him **is proved**. The charge-2 is **partly proved**, since some supervisory lapses noticed on the part of the charged officer and no misappropriation/ misutilization of scheme funds noticed either in the statutory inquiry report of former Regional Dy.Director (H&T) Hyderabad or in the available data in the society records and office of the Asst. Director (H&T), Sangareddy.

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4. A copy of the enquiry report was communicated to the charged officer to offer his representation on the findings of the enquiry officer vide reference 6th cited. Further, the charged officer has submitted his representation on the findings of the enquiry report stating that the statutory Enquiry Officer made a general observations stating that the funds sanctioned by the Government and Co-operative Central Bank are misutilized and no specific instances furnished in support of the observations. But, the Departmental Enquiry Officer, without getting the instances of misuse of funds, if any, has simply discussed the details of cash credit sanctioned from time to time and also other issues, not expected to be attended by him. As a District Head of the Department, with multifarious duties cannot be expected to attend to the verification of the outstanding Yarn advances and any other dues. It is the duty of the EO or the immediate super vision staff to attend to such item of work, whenever the situation warrants. He has further stated that it is necessary to state that the Addl. Director/ EO under section 51 of the Act, in his deposition dt.11.12.2006 has frankly admitted that he has hurriedly gathered information from the president and accountant of the Society, besides AD (H&T), Sangareddy. He has also stated that he could not have access to important records for his checking and therefore, he was led away by the versions of the President and Members of the Society. He has also expressed that he was not able to contradict the versions of the charged officer. He has further stated that the findings of the enquiry officer were far from the truth and no need cognizance. However, he has furnished the facts of each allegation and their propriety, with reference to recorded evidence, which disclosed that there was no iota of truth in any of the 5 allegations, covered by charge-1. Added to this the AD (H&T), Sangareddy/ Presenting Officer has deposed in his statement dt.16.3.20-07 that the instances in support of the said allegations and the explanations of the CO, there on, have been verified with reference to the available data and it is found that none of the allegations stand to the test of proof. But, unfortunately, the EO having gone beyond the scope of enquiry and brushing aside the evidence adduced by the departmental witnesses and PO, came to an unilateral conclusion that the charge was proved. He has also stated that there was no case of mis-appropriation of funds and any other cognizable financial irregularities in the working of the Society, during his tenure as AD(H&T), Sangareddy and the charge does not, subsist.

5. He has stated that there was no mis-appropriation/ misutilization of funds in WICS, Gajwel, barring certain minor omissions for which he cannot be held responsible, as it was the look out of the immediate supervision staff to attend to routine defects. During the course of enquiry the Regional Deputy Director, Hyderabad/EO and the Assistant Director (H&T)/PO have deposed that there was no misappropriation/misutilization of funds in the Society. On this very ground that there was no misappropriation/misutilization of funds it can be safely concluded that there was no slackness in supervision, gross negligence or dereliction of duties and the charge ought to have been therefore, held not proved, but it is held as partly proved, for no valid reasons. Hence, he has requested to consider his case sympathetically and drop further action in the matter, as he could not committed any mistake.

6. The Commissioner of Handlooms and Textiles & Commissioner, Apparel Export Parks (I/c) in his letter 8th cited, while furnishing a detailed report to Government among others has proposed to punishment of 3% cut in pension for a period of two (2) years against Sri K.Satyanrayana Rao, former Assistant Director, H&T, Sangareddy, Medak District (now retired).

7. After careful examination of the entire matter keeping in view the findings of the enquiry report and the explanation of the charged officer and also the proposal of the Commissioner of Handlooms and Textiles, Government have provisionally decided to impose a punishment of 3% (three) cut in pension for a period of two (2) years on Sri K.Satyanrayana Rao, former Assistant Director, H&T, Sangareddy, Medak District (now retired). Accordingly, a show cause notice has been issued directing Sri K.Satyanrayana Rao, former Assistant Director, H&T, Sangareddy, Medak District (now retired) to submit his explanation as to why the above said punishment shall not be imposed on him, within a period of 15 days from the date of receipt of the memo failing which it will be construed that he has no representation to offer and further action will be taken based on the material available through the reference 9th cited.

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8. In the reference 10th cited, Sri K.Satyanarayana Rao, former Assistant Director, H&T, Sangareddy (now retired) has submitted representation through the DHT stating that DHT had ordered an enquiry u/s 51 of APCS Act 7 of 1964 to probe into the affairs of WICS Dharmaram Medak dist. and appointed the then Addl.Director, H&T as Enquiry Officer and also ordered an enquiry to probe into the affairs of WICS Gajwel, Medak and appointed the then Regional Dy.Director, H&T as Enquiry Officer. Both the Enquiry Officer s submitted Enquiry Reports and based on the reports, the DHT had framed two charges and he has denied the charges framed against him that no misappropriation of funds took place and no financial loss sustained to Government Further, the Regional Deputy Director of Hyderabad was appointed as Enquiry Officer who had obtained his sworn depositions of the two enquiry officers who had conducted enquiries and also deposition of ADHT/PO and he has also submitted his deposition. The Enquiry Officer held that the charge-1 is proved and charge-2 is partly proved. He has also stated that in the SCN though no where it is established and proved that the Charged Officer is found guilty of grave misconduct nor negligence as the result of which Govt. sustained pecuniary loss yet proposed to impose 3% cut for 2 years. He has finally stated that there was no misappropriation of funds of the Government in the above stated Wool Societies and in view of the proper supervision of the Wool Societies and hence he has requested not to impose 3% pension cut for a period of 2 years and sanction full pension and gratuity.

9. After careful examination of the entire matter, Government have decided to confirm the provisional decision to impose a punishment of 3% cut in pension for a period of two (2) years on Sri K.Satyanarayana Rao, former Asst. Director, Handlooms & Textiles, Sangareddy, Medak District (now retired). Accordingly, Government in consultation with the APPSC, hereby impose a punishment of 3% (three) cut in pension for a period of two (2) years against Sri K.Satyanarayana Rao, former Asst. Director, Handlooms & Textiles, Sangareddy, Medak District (now retired). A copy of the APPSC concurrence is enclosed herewith.

10. The Director of Handlooms & Textiles and Apparel Export Parks, Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

SABYASACHI GOSH
SECRETARY TO GOVERNMENT

To

The Director, Handlooms & Textiles and Apparel Export Parks,
Telangana State, Hyderabad. (w.e)

Copy to:-

Sri K.Satyanarayana Rao, former Asst. Director, Handlooms & Textiles,
Sangareddy, Medak District (now retired)

Through the DHT and AEPs, Hyderabad (w.e)

The APVC, Hyderabad.

The Secretary, APPSC, Hyderabad.

The AG, AP, Hyderabad.

The District Treasury Officer, Medak District.

Sf/Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER